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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JOVAN BLANTON,

Plaintiff,

vs.

LOUIS DEJOY, Postmaster General,

Defendant.

CASE NO. 2:23-cv-02102-RFB-EJY

**STIPULATED DISCOVERY PLAN AND  
SCHEDULING ORDER**

Under Federal Rule of Civil Procedure 26(f) and Local Rule 26-1, plaintiff Jovan Blanton and defendant United States Postal Service (USPS) submit their stipulated discovery plan and scheduling order. The parties respectfully request a 180-day discovery period starting from the Order of the Court dated September 10, 2024 which says “[t]he parties must submit a [revised] discovery plan measuring discovery 180 days from the date of this Order.”

Deadlines that fall on Saturdays, Sundays, or legal holidays have been adjusted to the next day that is not a Saturday, Sunday, or legal holiday per Federal Rule of Civil Procedure (a)(1)(C).

1. Initial Disclosures. The parties will serve initial disclosures by **September 23,**

1 **2024.**

2           2.       Close of Discovery. The deadline for conducting discovery is **March 10, 2025**  
3 which is 181 days from the date of the Court's September 10, 2024 Order because 180 days falls  
4 on a Sunday.

5           3.       Amending the Pleadings and Adding Parties. The deadline for filing motions to  
6 amend the pleadings or to add parties is **December 10, 2024**, which is 90 days before the close of  
7 discovery.

8           4.       Expert Disclosures. The deadline for expert disclosures is **January 9, 2025**, which  
9 is 60 days before the close of discovery. The deadline for rebuttal expert disclosures is **February**  
10 **10, 2025** which is 32 days after expert disclosures because 30 days falls on a Saturday.

11           5.       Dispositive Motions. Dispositive motions must be filed by **April 9, 2025**, which is  
12 30 days after the close of discovery.

13           6.       Pretrial Order. The parties' joint pretrial order is due **May 9, 2025**, which is 30  
14 days after the dispositive-motion deadline. If dispositive motions are filed, the deadline for filing  
15 the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or  
16 further court order.

17           7.       Rule 26(a)(3) Disclosures. The disclosures required by Federal Rule Civil  
18 Procedure 26(a)(3) and any objections to them will be included in the parties' joint pretrial order.

19           8.       Alternative Dispute Resolution. The parties have considered resolution and the  
20 possibility of using alternative dispute-resolution processes, and the parties may revisit these  
21 options as the case proceeds.

22           9.       Alternative Forms of Case Disposition. The parties have considered trial by a  
23 magistrate judge and the short trial program, and the parties may revisit these options as the case  
24 proceeds.

25           10.      Electronic Evidence. The parties anticipate their initial, supplemental, and  
26 responsive production of materials will be in .pdf and/or paper formats. These productions may be  
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1 served by electronic means. Plaintiff understands the United States' productions of electronic files  
2 including .pdfs must typically be made via encrypted means, e.g., an encrypted disc, with password  
3 provided separately, or use of the United States' cloud-based file exchange portal, "USAFX." Should  
4 any technical difficulties arise with these encrypted means, counsel will make good faith efforts to  
5 meet, confer, and resolve the difficulties. Counsel will further discuss and address the presentation of  
6 electronic exhibits at trial in connection with the joint pretrial order, pretrial conference, and/or  
7 calendar call, as applicable and appropriate.

8 11. Extensions or Modifications of the Discovery Plan and Scheduling Order: In  
9 accordance with Local Rule 26-4, any stipulation or motion for modification or extension of a  
10 deadline in this discovery plan and scheduling order must be made no later than 21 days prior to  
11 the subject deadline.  
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13  
14 Respectfully submitted this 17th day of September 2024.

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16 LAW OFFICES OF MICHAEL B.  
17 BALABAN

JASON M. FRIERSON  
United States Attorney

18  
19 /s/Michael B. Balaban  
20 MICHAEL P. BALABAN  
21 Attorney for Plaintiff

/s/Virginia T. Tomova  
VIRGINIA T. TOMOVA  
Assistant United States Attorney

22 IT IS SO ORDERED.

23  
24   
25 UNITED STATES MAGISTRATE JUDGE  
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27 Dated: September 18, 2024  
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